

**Amendment to the Claims:**

1. **(Cancelled)**
2. **(Currently Amended)** The method of claim 4 25 wherein the channel-related metric is a pilot strength which is measured by the mobile terminal.
- 3 **(Currently Amended)** The method of claim 4 25 wherein the channel-related metric is power spectral density which is measured by the mobile terminal.
4. **(Currently Amended)** The method of claim 4 25 wherein the transmission rate is selected based on the channel-related metrics of both a pilot signal strength and a power spectral density which are measured by the mobile terminal.
5. **(Cancelled)**
6. **(Currently Amended)** The method of claim 5 25 wherein the plurality of possible transmission rates are transmission rates that are supported by the base station.
7. **(Currently Amended)** The method of claim 6 further comprising receiving the values of the supported rates from the base station prior to the transmission of the access probe.
8. **(Currently Amended)** The method of claim 5 25 further comprising receiving the at least one associated predetermined threshold level from the base station.
9. **(Currently Amended)** The method of claim 8 wherein the at least one associated threshold level is received from the base station in an overhead message that is continuously broadcast by the base station.

10. **(Currently Amended)** The method of claim 5 25 wherein the at least one associated threshold level is stored in the mobile terminal.

11. **(Currently Amended)** The method of claim 5 25 wherein the channel-related metric is a pilot strength the measurement of which is compared with at least one associated pilot strength threshold level to determine the transmission rate.

12. **(Currently Amended)** The method of claim 5 25 wherein the channel-related metric is a power spectral density the measurement of which being compared with at least one associated power spectral density threshold level to determine the transmission rate.

13. **(Original)** The method of claim 11 wherein the at least one pilot strength threshold level is modified by a re-probe offset to determine a transmission rate for a re-probe signal transmitted on the reverse common signaling channel.

14. **(Original)** The method of claim 13 wherein the re-probe offset is received from the base station.

15. **(Currently Amended)** The method of claim 5 25 wherein the channel-related metric is a both a pilot strength and a power spectral density the measurements of which being respectively compared with at least one associated pilot strength threshold level and at least one associated power spectral density threshold level to determine the transmission rate.

16. **(Original)** The method of claim 15 wherein the determined transmission rate is the maximum transmission rate that both comparisons indicate as being an acceptable transmission rate.

17. **(Cancelled)**

18. **(Cancelled)**

19. **(Currently Amended)** The method of claim 48 26 wherein the at least one threshold level is transmitted in an overhead message that is continuously broadcast by the base station.

20. **(Currently Amended)** The method of claim 47 26 wherein the information further comprises a plurality of possible transmission rates that the base station supports on the reverse common signaling channel.

21. **(Currently Amended)** The method of claim 47 26 wherein the channel-related metric is a pilot strength, which is measured by the mobile terminal, and the associated at least one threshold level is at least one pilot strength threshold level.

22. **(Currently Amended)** The method of claim 47 26 wherein the channel-related metric is a power spectral density, which is measured by the mobile terminal, and the associated at least one threshold level is at least one power spectral density threshold level.

23. **(Currently Amended)** The method of claim 47 26 wherein the channel-related metric is both a pilot strength and a power spectral density, which are both measured by the mobile terminal, and the associated at least one threshold level is at least one pilot strength threshold level and at least one power spectral density threshold.

24. **(Original)** The method of claim 21 wherein the information further comprises a re-probe offset for use by the mobile terminal in modifying the at least one pilot strength threshold level for determining a transmission rate for a re-probe signal transmitted by the mobile terminal on the reverse common signaling channel.

25. **(New)** A method at a mobile terminal in a wireless communications network in which the mobile terminal communicates with a base station, the method comprising the steps of:

at a time prior to attempting to access the network by transmitting an access probe on a reverse common signaling channel, measuring at least one channel-related metric;

comparing the measured at least one channel-related metric with at least one predetermined threshold level that is associated with the at least one channel-related metric, the at least one predetermined threshold level being determined before the access probe is transmitted;

selecting a transmission rate for use on the reverse common signaling channel based on the comparison of the at least one measured channel-related metric with the at least one threshold level, the selection being made from among a plurality of possible transmission rates that are supported by the base station on the reverse common signaling channel.

26. **(New)** A method at a base station in a wireless communications network in which a mobile terminal communicates with the base station, the method comprising the steps of:

transmitting at least one threshold level associated with at least one channel-related metric for subsequent use by the mobile terminal before it attempts to access the network by transmitting an access probe, the mobile terminal being operative to select a transmission rate on the reverse common signaling channel from among a plurality of transmission rates that are supported by the base station on the reverse common signaling channel by comparing the at least one threshold level received from the base station with

at least one channel-related metric has been measured by the mobile terminal at a time prior to attempting to access the network by transmitting an access probe.